

1 (Counsel listed on following page)

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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FERNANDO DE SAUSA and JESSICA  
SHUM on behalf of themselves, in the interest  
of the general public and as a Private Attorney  
General,

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Plaintiffs,

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vs.

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HSBC BANK U.S.A., N.A.; HSBC USA,  
INC.; and HSBC NORTH AMERICA  
HOLDINGS, INC.,

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Defendants.

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CASE NO. CV12-05081-TEH

**STIPULATION AND ~~PROPOSED~~  
ORDER TO DISMISS WITH PREJUDICE**

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16 FERNANDO DE SAUSA, JESSICA SHUM and

17 PATRICIA CHUI

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26 HSBC BANK U.S.A., N.A., HSBC USA, INC., and HSBC  
27 NORTH AMERICA HOLDINGS, INC.

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1 Plaintiffs Fernando De Sousa (“De Sousa”) and Jessica Shum (“Shum”) and opt-in  
2 conserver Patricia Chui (“Chui”) (collectively “Plaintiffs”), and Defendants HSBC Bank USA,  
3 N.A., HSBC USA Inc., and HSBC North America Holdings Inc. (collectively, “HSBC,” and  
4 together with Plaintiffs, the “Parties”), acting through their counsel of record, hereby submit this  
5 stipulation and [proposed] order to dismiss the matter with prejudice for the following reasons:  
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7 1. After a full day of mediating before the Honorable William J. Cahill, HSBC and  
8 all three individual Plaintiffs have successfully resolved their disputes.

9 2. The parties have resolved their disputes privately and Plaintiffs wish to discontinue  
10 this lawsuit with prejudice. The dismissal will not impact the right of any individuals other than  
11 Plaintiffs.

12 SO STIPULATED.

13  
14 DATED: February 19, 2014

15 TOMAS E. MARGAIN  
JUSTICE AT WORK LAW GROUP

16 By: \_\_\_\_\_ /s/  
17 TOMAS E. MARGAIN

18 Attorneys for Plaintiffs  
FERNANDO DE SAUSA and JESSICA SHUM

19 ENZO DER BOGHOSSIAN  
20 PROSKAUER ROSE LLP

21 DATED: February 19, 2014

22 By: \_\_\_\_\_ /s/  
23 ENZO DER BOGHOSSIAN

24 Attorneys for Defendants  
HSBC BANK U.S.A., N.A., HSBC USA, INC., and  
25 HSBC NORTH AMERICA HOLDINGS, INC.

1 **[Proposed] Order**  
2 Based on the above stipulation of counsel, this matter is dismissed with prejudice. All  
3 deadlines are hereby terminated and the Clerk is instructed to close the file.  
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5 **IT IS SO ORDERED.**  
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7 Dated: 02/20/2014  
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